

P R E S E N T

THE

S P E E C H

OF

Mr. W I L K E S,

ON

Mr. FOX's EAST-INDIA BILL.

[Price Sixpence,]

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Mr. Murphy, Mr.



THE MUSEUM

NEWCASTLE UPON TYNE

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Journal for C. K. Williams, in Fleetwood

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1705
THE
S P E E C H
O F
Mr. W I L K E S
—
ON
Mr. FOX's EAST-INDIA BILL,
WITH
His SPEECH to Mr. PITTE,
At GROCERS-HALL,
AND
MR. PITTE's ANSWER.

L O N D O N :
Printed for G. KEARSLEY, in Fleet-Street.
1784.

THE
SPEECH

HOUSE OF COMMONS

Mr. WILKES

A motion was made in the right

House of Commons, that the tempest of

Mr. FOX's EAST-INDIA BILL

should be referred to the Select Com-

mittee for a full enquiry into the

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BRITISH
MUSEUM

HOUSE OF COMMONS.

December 8, 1783.

“ A motion was made by the right honourable *Charles James Fox*, member for Westminster, Secretary of State for Foreign Affairs, and seconded by the right honourable *Lord North*, member for Banbury, Secretary of State for the Home Department, that the Order of the day for the third reading of the Bill (now engrossed) for vesting the affairs of the East-India Company in the hands of certain Commissioners for the benefit of the Proprietors and the Public, be now read.”

Mr. Wilkes said,

Mr. Speaker,

I rise with the deepest Anxiety to endeavour to prevent the further progress of this Bill, because in my opinion it destroys the

ancient, established forms of all Parliamentary proceedings in this House, violates the national faith, subverts every principle of justice and equity, and gives a mortal stab to this free constitution. Sir, the forms of proceeding in this House were wisely established by our ancestors, after the most mature deliberation, as a guard against surprize by any ministers, and to give our constituents timely information of what was doing in Parliament, that the collected wisdom of the nation might be appealed to and known on every occasion of moment. This accounts for the slowness of our proceedings compared with the mode of passing bills in the other House of Parliament. Their Lordships have no constituents, whom it is a duty to consult. In the progress of this *Bill*, the invariable rules and orders of the House have been set aside without the least shadow of necessity, almost without the slightest pretence ; and the *Bill* continues to be hurried on with indecent haste. When the right honourable Secretary moved for leave to bring in a *Bill* for the better regulation of the *East-India Company*, he stated the desperate condition of the *Company's* finances as the sole ground

ground on which he stood. He represented it as a case of absolute and immediate necessity for the interposition of the Legislature. He expressly disclaimed every other motive, although he invidiously went at large into every supposed delinquency of Mr. Hastings, and almost every other servant of the *Company*, for many years. He did not indeed in terms assert that the *Company* were in a state of *bankruptcy*, but he declared that they owed five millions more than they were able to pay, and went into a variety of accounts without any attempt at the smallest proof of what he advanced, or calling for a single paper, in so great a variety of matter. He pledged himself for the most scrupulous accuracy, yet in the very moment forgot to give the *Company* credit for an immense floating property, for all their stores, goods and merchandizes in the warehouses at Calcutta, Bercoolen, Bom-bay, Fort St. George, and other factories in the East. An omission of this importance could not proceed from ignorance, where infinite pains were taken to examine into the most minute particulars, nor from carelessness, where no trace of a heed-

less inattention, or forgetfulness, was ever observed. It argued a total want of good faith, a deliberate resolution of taking the House by surprize, and it succeeded with a weary, puzzled and embarrassed audience. Leave was given to bring in the *Bill*.

Sir, I do not only complain of an omission of this magnitude on the credit side of this pretended account of the *East-India Company's* affairs, but likewise of the suppression of some interesting facts, which ought to have been brought forward, and placed in a full light. It appears by the printed accounts of the "General State of the affairs of the "East-India Company," published by order of the General Court, that the arrivals have been put so much out of their ordinary course, that only thirteen ships arrived in the season 1782, and eleven in the season 1783, while forty-five are left to arrive in 1784, besides ten more, which are now abroad, and will be kept in India, so as to arrive in 1785, at the same time with most of those now under dispatch from hence. Was it, Sir, consistent with candour, or justice, to suppress facts of this moment, in a long and laboured investigation of every

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circumstance respecting the first commercial company in the world? The reason however is glaring. The property, which these ships will bring home, cannot fail of placing the finances of the Company on as solid a foundation as the most interested proprietor could wish, or the most avaricious and grasping minister desire; but alas! it is a distant day, and the moment is pressing, big with the fate of ministers. Needy dependents grew importunate and clamorous, as being used not to give but to *take* credit. Present plunder is preferred to future golden dreams of all the treasures of the Earth, and with consummate prudence, amid all the chances and changes of this political, ministerial life. It was artful to keep back all the resources of the Company, and enlarge only on their present difficulties, which were brought on by the late war, and the restraints laid by Parliament on their power of extricating themselves by extending their credit in the circulation of bonds to a moderate amount. The unfairness of the whole proceeding must strike every man. A noble Lord (a) near me, with an honest zeal, has

(a) Lord Mahon, Member for Chipping Wycombe

called the *Bill* an *infamous Bill*. No epithet can in my opinion reach the enormity of its guilt, and therefore I shall content myself with calling it a *swindling Bill*, drawn and presented by the right honourable Secretary to obtain money on *false pretences*.

A lawyer (b) on the floor, who spoke last, has told us, that the *Company* are actually *bankrupts*, because they have not paid their debts, nor can they at present. Is then every man, who does not, or cannot, pay every legal demand, a *bankrupt*? Has the worthy member no more delicacy for the characters of so many illustrious persons all around him? I respect the honour of the *majority* here too highly to suffer them to be called *bankrupts*. Such an assertion shall not go forth to the world uncontradicted. Is the learned gentleman yet to be taught the difference between *bankruptcy* and *insolvency*? The right honourable Secretary was more cautious. He did not pronounce the *Company bankrupt*. He only endeavoured to make them *out insolvent* at present to the amount of five millions, with little

(b) John Nichols, Esq; Member for Bletchingly.

little chance of a future day of payment, without his generous assistance.

The same lawyer assures us, that the present *Bill* is neither a *Bill of confiscation*, nor *disfranchisement*. He will excuse me for stating to the House my reasons for believing it both. What is the idea of *confiscation*? Is it not the seizing by violence the property of one individual, and transferring it to another? It is impossible for this to take effect in a fuller and clearer manner than is directed by the *East-India Bill*. I defy any lawyer to shew me an *act of confiscation* more forcibly drawn. The words of the fourth clause of this *Bill* are, *The directors of the said united company, and all other officers and ministers, and servants thereof, are hereby enjoined, immediately upon the requisition of the said commissioners, signified under their bands and seals, to deliver up to them, [the new commissioners] or to such person or persons as they shall for that purpose appoint, all such lands, tenements, houses, warehouses, buildings, books, records, documents, charters, acts, instruments, papers, ships, vessels, goods, wares, and merchandizes, money, securities for money, and all other effects whatsoever.*

ever. Imagination is at a loss even to guess at the most insignificant trifle, which has here escaped the harpy claws of a ravenous *Coalition*. One idea indeed generally precedes the word *confiscation*, and that is *guilt*. In the present instance no crime whatever has been alledged. The argument of the right honourable Secretary for the *Bill* was the actual poverty of the *Company*: the real motive we all know is the certainty of the present spoils, with future accruing wealth, and immense patronage, to enrich an *Indian hierarchy* of his creation, and, through his tame viceroys, the *Trincomalee viceroy* of Asia.

In the *Bill*, Sir, as drawn and presented to the House by the right honourable Secretary, there is no clause inserted of any *trust* created for the benefit of the proprietors. In the Committee indeed the words have been added, *in trust for, and for the benefit of, the proprietors*, but in case of the grossest abuse of trust, to whom is the appeal? To the proprietors? No, Sir, they are to have no farther concern with their own property. Is it not then *confiscated*? The appeal is to a *majority* in either House of Parliament, which the most driveling Minister

nister could not fail to secure with a patronage of above two millions sterling given by this *Bill*.

Sir, the *Bill* is said not to be a *Bill of disfranchisement*, because it does not take from the proprietors their right to an exclusive trade, or monopoly. Was this monopoly the only *franchise* of the proprietors? There is property in this kingdom to which a *franchise* is annexed. The *franchise* may be taken away, yet the property remain. To a freehold, for instance, is annexed a right of voting for Members of Parliament. We have seen that *franchise* taken away, and yet the freehold remained untouched, but surely the freeholder loudly and justly complained of the *disfranchisement*. The case is parallel as to *East-India Stock*. Persons possessed of *stock* to a certain amount are entitled to vote for the appointment of their servants both at home and abroad, to manage their property, in which they are always clear-sighted, to direct and superintend all their concerns, with a general power of controul. This surely is a most valuable *franchise*. It was understood to be purchased with the *stock*.

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The purchase money was more considerable from his intrinsic value, which it was supposed to possess. This franchise is to be taken away by the *Bill*, and yet one gentleman among us can assert, that the *East India proprietors* will not be *disfranchised*. God forbid the People of England should have many such defenders of their franchises and liberties in a House of Commons !

If the House, Sir, will attend to what has passed since the introduction of this *Bill* among us, they will see that if we mean to preserve our ancient parliamentary forms of proceeding, we cannot suffer the farther progress of such a *Bill*. When leave was moved for its introduction, the right honourable Secretary, as the sole motive of his conduct, gave an alarming account of the desperate state of the finances of the *Company*. He painted in the darkest colours the state of their debts and incumbrances, which he made amount to several millions. A worthy (c) member of this House, a Director of the *East India Company*, flatly contradicted the assertions of the Secretary, and pledged himself

(c) Samuel Smith, Esq; Member for Ilchester.

himself to prove the unfairness of all his calculations. The Company have since given to the public a very different state of their affairs. It comes authenticated by every proper authority, *Nathaniel Smith, Esq; Chairman of the East-India Company, John Annis, Auditor of Indian Accompts, and Samuel Nicoll, Accountant.* These accompts we may examine at our leisure, and scrutinize with the most minute exactness. We have a clear "Statement of the debts, credits, and effects of the East India Company," carried up to December 1, 1783. But where is the accompt of the right honourable Secretary to be found? That does not admit of such a scrutiny: that is authenticated by no signature, nor proved by any paper on our table. No two persons in this House agree to day in the particulars of the long, laboured harangue of yesterday. There is a precision in what is thrown on paper, but then it is liable to detection, and even seems to invite an acute examination. Here then, Sir, the honour and justice of this House are deeply concerned. One member brings forwards a bold assertion of various facts, on the truth of which he asks leave to bring in a very harsh and severe

vere *Bill*, to use no more violent expression. Another member, more immediately concerned, having the proofs daily under his eye, denies the truth of every proposition advanced by the member who moved for the *Bill*, and dares him to the proof at your bar. Here can be no deception. The challenge is perfectly fair. No demonstration can be superior to that drawn from figures. The challenge however is declined. No proof whatever is offered in support of the *Bill*. The case then is at issue, and every principle of justice forbids us to proceed, till the facts are ascertained, till we know whether a real necessity exists, or whether it is made the pretence to colour a deep-laid plan of ambition, wealth, and power. The forms of Parliament are first to be sacrificed, and then its independency.

This *Bill*, Sir, appears to me to violate the national faith in a high degree, for it annihilates the *Charter of the East India Company*, purchased of the public, and secured by the sanction of Parliament. The violation of the *American Charters*, which has been followed by the loss of our empire in the West, would have deterred any ministers less rash, less impetuous, from this dangerous experiment

ment of tampering with *Charters*. Not a Corporation in the kingdom, not a *Charter*, not the *Great Charter* of our Liberties, not a Deed, not a Contract, not a Document, not a Security, no species of property, can be safe against unprincipled men acting thus in the plenitude and wantonness of power. This *Charter* did not owe its birth to the foolish prepossessions, or mad prodigality, of any of the Plantagenets, Tudors, or Stuarts, in favour of their servile courtiers, or interested dependents. It was a fair purchase made of the public, an equal compact for reciprocal advantages between the nation at large and the body of the proprietors. The purchase-money has been actually received by the public, and consequently the proprietors have a just claim to what was stipulated in their favour. I agree, Sir, that there is no *Charter* which may not be forfeited from delinquency, but the *Charters* of the *City of London*, for they are excepted by an express *Act* of our glorious Deliverer, from the necessity of preserving the peace of the capital; but no delinquency of any kind is now made a charge against the *East-India Directors*,

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Proprietors, or any of their servants. The distress of their circumstances alone was alledged as warranting such a *Bill*. I am very ready to admit that the servants of the *Company* have been guilty of the most enormous crimes in the East. Is that a reason for punishing the Directors and Proprietors in Leadenhall-street? Has the least degree of guilt been imputed to them? I wish rather to add to their powers over their own servants, and then I am satisfied that guilt of the deepest dye would speedily be followed with the most exemplary punishment. I see no objection to giving the Directors most of the powers of this *Bill*. It would be highly politic. Let me state to the recollection of the House a recent transaction, in which the interest of the *Company*, and the national honour, were deeply wounded. When, after every possible delay, the authors of the late revolution at Madrass, and the subsequent murder of Lord Pigot, were brought into an English court of justice, and a jury pronounced them guilty, what was the sentence? A trifling mulct, and not an hour's imprisonment. The fine, which they paid in court, was

was scarcely a fiftieth part of the spoils of a wicked usurpation of the supreme government, both civil and military, followed by the murder of the Governor. The public were insulted, even in the hour of trial, by a vain ostentation of what the criminals were prepared to have disgorged, before the fears of their troubled consciences were quieted by a solemn mockery of justice. Such a conduct marked the partial and feeble hand of the law at home; for surely, Sir, such crimes called for severity to deter future delinquents. They may from this lenity learn with perfect safety, and immense profit, to perpetrate the trifling crimes of mutiny, rebellion, and murder.

I have no objection, I confess, to restraining the *East-India Company* to the primary object of their *Charter*, to their original views of commerce. I little relish the idea of a few merchants governing, as sovereigns, the three powerful states of Bengal, Bahar, and Orissa. It is inconsistent with political order, and the subordination of British subjects. The *J. suits* were justly expelled from almost every government in the old and new world, not from a

system of silly tenets, which not one in a hundred of them believed, but from their establishing the *imperium in imperio*, which no state ever suffered with impunity. Invenerate the wise maxim of a commercial policy, that, while it is adding to the national wealth, forms an invincible bulwark by the strength of a powerful navy; but I detest a scandalous, heterogeneous traffic of war and trade, plunder and commerce, peculation and murder, extortion, rapine and corruption. The national character has been lost in Indostan. Provinces and kingdoms have been bought and sold by the Asiatic Generals and Governors of the Company, against the strongest orders of the Directors and Proprietors; and the lives of some of the most harmless princes, who ever reigned, set to sale. The mischief soon gains Europe, and we experience at home all the calamities which Rome suffered in the declension of her empire, and from the same quarter, from the East. We are ruined by the luxury and venality of our own despicable offspring, and all the vices of the East, which they propagate here too successfully, when they return to purchase protection

tion and indemnity for their crimes. I therefore, Sir, highly approve a Bill for the government of the territorial possessions and revenues of India, which ought to depend on the state, but the regulation of all commercial concerns I shall ever think ought to rest with the Proprietors and Directors. This is their province : to this they are as competent as they are inadequate to dominion and the care of empires.

Sir, I look upon this *Bill* as the bitter fruits of the *Coalition*. After the fatal consequences of the noble Lord's attack on the *American Charters*, I cannot think he would have ventured on this direct violation of the franchises and property of a great *Company*, if he had not been in impious league with so daring a colleague. Not a man, who hears me, can believe that such a *Bill* had ever appeared, if the wordy war had gone on between the two Secretaries. The noble Lord indeed had made some former faint attempts, and for a good while cast a longing eye on the fair prey, but he dreaded his opponent. When he had secured a fit accomplice, the plan and share of the plunder was adjusted, and

the robbing of the *East India Company* resolved. The *Duumviri, auro, argento, ære,* not *flando, or feriendo, but rapiundo,* proceeded by the *Bill* to the seizure and *confiscation* of all *monies, securities for money, goods, wares, merchandizes, &c. &c. &c.* with as little scruple as in elder times any *triumvirate, or decemvirate,* ever used.

I protest, Sir, I do not feel the least personality against either of the members of the *Coalition*, but I dread the monstrous, unnatural union of such incongruous, discordant particles, because they could only be brought to *calefære* for the division of the public spoils, for the sharing of all power among themselves, to the destruction of the public liberty, and the independency of this House. I believe that the noble Lord possesses the most perfect personal integrity. His own probity is unblemished, but a lust of power, and an unlucky indolence of temper, combined to make him through the course of the last war connive at almost every man in every department fleeing the public beyond the example of all former times. His own hands were clean: not so those of the whole tribe of

of his contractors and dependents. The noble Lord has a rich vein of pure, elegant, classical wit, the most easy manners, and unaffected good nature, with every amiable and companionable quality. He is formed to be admired and beloved as a private nobleman. Would to Heaven I could commend his reverence for the constitution, his love of liberty, and his zeal for the preservation of those noble privileges and franchises, which are the birthright of Englishmen! With his Colleague I have acted against his lordship for many years. I fought by his side through the whole American war, and in all the spirited struggles against the too great power of the crown. I have frequently been in raptures from the strains of his manly eloquence, the force of his reasoning, and the torrent of his oratory. So perfect a parliamentary debater this House has never known. I grieve when I recollect how unavailing all our tedious struggles have been, and that so large a part of the empire has been torn from us; but I am indignant when I see the noble Lord in one of the highest offices of the state, brought back to power, and caressed by the very man, who under-

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took to impeach him, as the great criminal of the state, the corrupter of Parliament, the author and contriver of our ruin. He protested that he could not trust himself in the same room with him. At another time he said, he consented to pass for the most infamous man in this, or any country, if ever he made part of an administration with the noble Lord in the blue ribband. I do not forget, Sir, attending my Sovereign the last year, by the command of the Freeholders of Middlesex, to thank his Majesty for having removed from his counsels men, under whose administration calamities, so many and so great, have befallen this kingdom, and for appointing ministers, in whom this country had, and are willing to have, the fullest confidence. That confidence could never have been lost, but by the dereliction of every principle, and every promise. The right honourable Secretary assured us in the first week after his accession to power, that he found every thing much worse than he could have suspected. Has he instituted the least enquiry into the causes of the dismemberment of the empire, and of the disgraces of the British fleet during so great a part of the

last

last war, for which he has so often solemnly pledged himself? In breach of repeated public engagements, and almost daily pompous professions, he has joined the enemy of America, by which he has lost the *confidence* of America, which he had acquired in some degree, and might have made useful to this country.

Sir, another strong objection to this *Bill*, arises from the enormous power, in the end to accrue to the crown, perhaps directly by collusion with its minister. It is, Sir, a patronage of above two millions sterling a year, of which the Company will be deprived. Wherever such a patronage falls, it cannot fail to overturn the balance of power in this well-poized constitution. All the Governor Generals, Lieutenant-Governors, Counsellors, Presidents, Council of Commerce, Factors, Writers, every thing civil and military, from the General to the Subaltern, in the various establishments throughout Asia, and at home every thing of profit in Leadenhall-Street, to the very warehousemen, clerks and porters of the house, are included. Such an influence could never be withstood. I consoled myself, Sir, under the loss of America,

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because as the first object of my wishes is the immortality of the liberties of my country, and I had always thought that the influence of the crown had increased, was increasing, and ought to be diminished, three propositions regularly supported by one half of the Coalition, and regularly opposed by the other half, the considerable diminution of regal power by the loss of the appointment of thirteen Governors, thirteen Lieutenant-Governors, Chief Justices, Attorney and Solicitor-Generals, Receivers, Custom-house Officers, &c. &c. &c. with the military government of Minorca, and the two Floridas, no longer rendered the crown an object of terror. If, however, the immense patronage of Asia is to be given to the Crown, its overgrown power must soon swallow up the two other branches of the legislature, and the sovereign of England will become as perfect a despot as the monarch of France, Spain, or Prussia. If it is to be seized by a Minister at the head of a proud and hateful aristocracy, both the sovereign and the people will be the slaves of a faction. One only resource will remain in the great revolution of human events, which the womb

of

of time may bring forth, a circumstance not to be regretted, perhaps to be wished, by the real friends of humanity. It is an event possibly not very distant, that the French, Dutch, and Portuguese, as well as the English, may be entirely swept away from the countries in the East, which they have cruelly laid waste, and made the theatre of the most flagitious enormities. The peaceful natives will then be at rest, happy under the mild government of their own princes. Commerce will no longer be fettered by a monopoly, but spread its swelling sails as freely over the gulph of Bengal and the Indian seas, as on the coast of China and Japan, on the Atlantic, or the Mediterranean.

May I beg the indulgence of the House for a very few more words? We have an *Act* to prevent officers of the Customs and Excise from voting at elections of members to serve in Parliament, a truly wise and excellent regulation, dictated by the spirit of liberty. Should this *Bill* pass into a law, I will move the same kind of *Bill* with respect to every man employed under the intended *East-India commission*, to diminish in some degree

the incredible weight of influence, which it will create. I will bring to the test the consistency of the great Whig families, of whose support we have heard so much from the right honourable Secretary ; and I doubt not of the effectual assistance of every independent character in the House. I do not, however, despair of the total rejection of the present *Bill*. I will only add, that if we do not strangle the monster in its birth, it will destroy the freedom both of the Parliament and People.

FEBRUARY 28, 1784.

Mr. Chamberlain WILKES administered at
GROCERS-HALL to Mr. PIT^T the Oath
usually taken by all persons admitted to
the Freedom of the City of LONDON, after
which he added,

S I R,

I Give you joy, and I congratulate the City
of London on the important acquisition it
has this day made. I reckon it, Sir, among
the most fortunate events of my life, that I
have the honour of being directed by the
unanimous resolution of the Lord Mayor,
Aldermen, and Common-Council, to enroll
your name in the Archives of this Metro-
polis among those Princes and Heroes who
have been the benefactors of our Country,
and the friends of Mankind, with the glo-

rious Deliverer of this Nation, with the Hero of Culloden, with the illustrious Statesman, from whom you derive your descent. The City of London, Sir, with pride and exultation, now behold revived in the Son those solid Virtues, those shining Talents, and powerful Eloquence, which they long admired in the Father, but above all that generous Love of our Country, and its divine Constitution, superior to the groveling, sordid views of private self interest, or personal ambition. You have, Sir, thus early in your Ministerial Career commanded the esteem and admiration of this City and Nation, by a noble Act of Disinterestedness in favour of the public, for which I believe you scarcely could find a precedent, nor I fear will you be imitated by any future Minister.

We look up, Sir, to that superior ability, and purity of Public Virtue, which distinguish you, for the reformation of many abuses, as well as the steady protection of our Chartered Rights, Property and Freedom. The Administration of your Noble Father gave us security at Home, carried the Glory of this Nation to the utmost Height Abroad, and

and extended the bounds of the Empire to Countries, where the Roman Eagle never flew. A late Administration undertook an unjust and wicked War, which dismembered the Empire by depriving us of our most valuable Colonies, and has almost brought us to the brink of Bankruptcy. To restore this kingdom to any degree of prosperity and Greatness, demands the utmost exertions of Virtue and Ability, with every support both of the Crown and People at large. I hope you will meet with both, and I know how high you stand in the Confidence of the Public. Much is to be done, but you have
 (d) Youth, Capacity, and Firmness. It is the characteristic of a true Patriot never to despair, and we have a well-grounded hope of your making us again a great, powerful, happy, and united People, by a steady, uniform, wise, and disinterested conduct. Your Noble Father, Sir, annihilated Party, and I hope you will in the end beat down and conquer the Hydra of Faction, which now rears its hundred heads against you. I remember

his

(d) *Adolescens gravis senili judicio.*

Cicero, *Pro P. Sextio*

his saying, that for the good of the People he dared to look the proudest connections of this Country in the Face. I trust that the same spirit animates his Son, and as he has the same Support of the Crown and the People, I am firmly persuaded that the same Success will follow.

Mr. PITT's ANSWER

TO

Mr. Chamberlain WILKES

SIR,

I Beg to return you my best Thanks for your very obliging Expressions. Nothing can be more encouraging to me, in the Discharge of my Public Duty, than the countenance of those, whom, from this Day, I may have the honour of calling my Fellow-Citizens.

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